

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARK C. CHRISTENSON,

Plaintiff,

-against-

MICHAEL KHRISTIANSON,

Defendant.

19-CV-11965 (CM)

ORDER OF DISMISSAL
UNDER 28 U.S.C. § 1651

COLLEEN McMAHON, Chief United States District Judge:

On June 20, 2018, the Court barred Plaintiff from filing any new civil action in this Court *in forma pauperis* (IFP) without first obtaining from the Court leave to file. *See Christenson v. Roe*, ECF 1:18-CV-3319, 3 (S.D.N.Y. June 20, 2018). Plaintiff has neither paid the relevant fees to bring this action nor filed an application to proceed IFP. Because Plaintiff has not paid the fees, the only other way he can proceed is by seeking IFP status. *See* 28 U.S.C. §§ 1914, 1915. The Court therefore understands this action as one in which Plaintiff seeks to proceed IFP. But because he has not sought the Court's leave to proceed with this action IFP, the Court dismisses this action without prejudice for failure to comply with the Court's June 20, 2018 order in *Christenson*, ECF 1:18-CV-3319, 3.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore IFP status is denied for the purpose of an appeal.

See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: January 6, 2020
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", is positioned above a horizontal line.

COLLEEN McMAHON
Chief United States District Judge